

Senate Bill No. 1224

CHAPTER 449

An act to amend Section 35401.7 of the Vehicle Code, relating to vehicles.

[Approved by Governor September 25, 2006. Filed with
Secretary of State September 25, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1224, Chesbro. Vehicles: limitations of access.

Existing law exempts from established limitations of access, licensed carriers of livestock when engaged in travel necessary and incidental to the shipment of livestock on specified portions of State Highway Route 101. This exemption is repealed on January 1, 2007. Existing law requires the Department of the California Highway Patrol (CHP), in consultation with the Department of Transportation and in accordance with recommendations from the CHP's study issued on May 1, 2003, of the effect of the exemption, to continue the comprehensive study of the effect of the exemption on public safety, as specified, and to report the findings of the additional study to the Legislature on or before January 1, 2006.

This bill would extend the January 1, 2007, repeal date, to January 1, 2012, thereby extending the exemption. This bill would also delete obsolete language regarding the study, and require the CHP, in consultation with the Department of Transportation and in accordance with recommendations from the CHP's study issued March 20, 2006, on the effect of the exemption, to continue the comprehensive study of the effect of the exemption on public safety, as specified, and make recommendations on future exemptions, including the creation of a permitting system for cattle truck and trailer combinations meeting the applicable provisions of the federal Surface Transportation Assistance Act of 1982, and appropriate safety improvements. The bill would require the CHP to report the findings and recommendations to the Governor and the Legislature on or before January 1, 2011.

The people of the State of California do enact as follows:

SECTION 1. Section 35401.7 of the Vehicle Code is amended to read:

35401.7. (a) The limitations of access specified in subdivision (d) of Section 35401.5 do not apply to licensed carriers of livestock when those carriers are directly en route to or from a point of loading or unloading of livestock on those portions of State Highway Route 101 located in the Counties of Del Norte, Humboldt, and Mendocino from its junction with

State Highway Route 1 near Leggett north to the Oregon border, if the travel is necessary and incidental to the shipment of the livestock.

(b) The exemption allowed under this section does not apply unless both of the following conditions are met:

(1) The length of the truck tractor, in combination with the semitrailer used to transport the livestock, does not exceed a total of 70 feet.

(2) The distance from the kingpin to the rearmost axle of the semitrailer does not exceed 40 feet.

(c) The exemption allowed under this section does not apply to travel conducted on the day prior to, or on the day of, any federally recognized holiday.

(d) The Department of the California Highway Patrol, in consultation with the Department of Transportation and in accordance with recommendations from the Department of the California Highway Patrol's study issued on March 20, 2006, of the effect of the statutory exemption, shall continue the comprehensive study of the effect that the exemption provided by this section has on the public safety during the extended effective period of the exemption, and make recommendations on future exemptions, including the creation of a permitting system for cattle truck and trailer combinations meeting applicable provisions of the federal Surface Transportation Assistance Act of 1982 (Public Law 97-424), and appropriate safety improvements. Notwithstanding Section 7550.5 of the Government Code, the Department of the California Highway Patrol shall report the findings of this additional study and recommendations to the Governor and the Legislature on or before January 1, 2011.

(e) This section shall remain in effect only until January 1, 2012, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2012, deletes or extends that date.